

REMARKS

In the Final Office Action, the Examiner rejects claims 26-43 and 45-54 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. (U.S. Pat. No. 6,795,430) in view of ABEL et al. (U.S. Patent No. 6,950,426); and rejects claim 44 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. in view of ABEL et al. and further in view of LAMPA (U.S. Pub. No. 2003/0016681). Applicants respectfully traverse these rejections with respect to the claims presented herein.¹

By way of the present Amendment, Applicants propose to amend claims 26-27, 29-37, 40- 41 and 44-54 to improve form. Claims 26-54 remain pending.

Applicants' representative would like to thank Examiner Chong Ho for the telephone discussion of September 14, 2007. As per the telephone discussion, Applicants' representative set forth that entry of the proposed amendments to independent claims 26, 29, 35, 40, 45 and 51 will place the application in immediate condition for allowance, as the present amendment adds allowable subject matter (as indicated in the Office Action of January 9, 2006) into the independent claims.

Claims 26-43 and 45-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al. in view of ABEL et al.

Amended independent claim 26 is directed to a method comprising partitioning inter-PBX communications from existing PBX communications; receiving a partitioned inter-PBX communication, via a first network access device, the partitioned inter-PBX communication

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

comprising a content portion and a signaling portion in accordance with a QSIG access protocol; encapsulating the content portion and the signaling portion of the partitioned inter-PBX communication via the first network access device to provide a plurality of respective content packets and signaling packets; transmitting the signaling packets from the first network access device to a control component via the data network; establishing, via the control component, a connection within the data network between the first network access device and a second network access device in response to receiving the signaling packets; and communicating the content packets from the first network access device to the second network access device over the established connection. Applicants respectfully submit that ONG et al. and ABEL et al., whether taken alone or in combination, do not disclose or suggest this combination of features.

For example, ONG et al. and ABEL et al. do not disclose or suggest partitioning inter-PBX communications from existing PBX communications, as now recited. The Examiner has indicated this feature (previously recited in claims 11 and 23) as being allowable in the Office Action of January 9, 2006. Applicants respectfully submit that ONG et al. and ABEL et al. do not disclose or suggest partitioning inter-PBX communications from existing PBX communications, as now recited in claim 26.

For at least the foregoing reasons, Applicants submit that claim 26 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 26 are respectfully requested.

Claims 27-28 depend from claim 26. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 26.

Amended independent claim 29 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 29 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 29 are respectfully requested.

Claims 30-34 depend from claim 29. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 29.

Amended independent claim 35 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 35 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 35 are respectfully requested.

Claims 36-39 depend from claim 35. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 35.

Amended independent claim 40 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 40 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 40 are respectfully requested.

Claims 41-43 depend from claim 40. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 40.

Amended independent claim 45 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 45 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 45 are respectfully requested.

Claims 46-48 depend from claim 45. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 45.

Amended independent claim 51 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 51 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 51 are respectfully requested.

Claims 52-54 depend from claim 51. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 51.

Claim 44 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al. and ABEL et al. and further in view of LAMPOLA. Applicants respectfully traverse this rejection.

Claim 44 depends from claim 40. The disclosure of LAMPOLA does not remedy the deficiencies in the disclosures of ONG et al. and ABEL et al. discussed above with respect to claim 40. Therefore, Applicants submit that claim 44 is allowable over ONG et al., ABEL et al. and LAMPOLA, whether taken alone or in any reasonable combination, for at least the reasons as set forth above with respect to claim 40.

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the present amendment and the timely allowance of the pending claims. Applicants respectfully request entry of the present amendment because the amendment places the application in condition for immediate allowance.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: September 28, 2007

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